## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:16-cv-00468-MOC

KENNETH O'BRIAN POWELL,	)	
	)	
Petitioner,	)	
	)	
Vs.	)	ORDER
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**THIS MATTER** is before the court on the respondent's Motion to Place Motion under 28 U.S.C. § 2255 in Abeyance. Having considered the respondent's motion and reviewed the pleadings, the court enters the following Order.

## **ORDER**

**IT IS, THEREFORE, ORDERED** that the respondent's Motion to Place Motion Under 28 U.S.C. § 2255 in Abeyance (#9) is GRANTED, and this matter is HELD in abeyance pending issuance of a decision in <u>United States v. Brown</u>, No. 16-7056. After issuance of such decision, the respondent shall have 45 days to Answer or otherwise respond.

Signed: May 3, 2017

Max O. Cogburn Ji

United States District Judge

